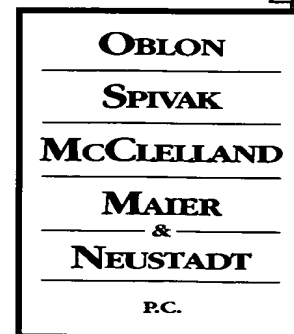




IFW 123



Docket No.: 9350-0136-0

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

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RE: Application Serial No.: 09/399,743
Applicants: Karlheinz DRAUZ, et al.
Filing Date: September 20, 1999
For: AMINO ACID COMPOSITION FOR
HEMODIALYSIS
Group Art Unit: 1723
Examiner: S.U. KIM

SIR:

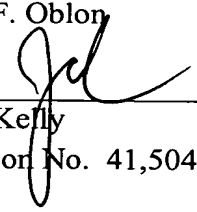
Attached hereto for filing are the following papers:

Terminal Disclaimer

Our credit card payment form in the amount of \$110.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
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Docket No. 9350-0136-0



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Karlheinz DRAUZ, et al.

SERIAL NO: 09/399,743

GAU: 1723

FILED: September 20, 1999

EXAMINER: S. U. KIM

FOR: AMINO ACID COMPOSITION FOR HEMODIALYSIS

TERMINAL DISCLAIMER

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Now comes the undersigned Richard L. Treanor, Attorney of Record in the present application, who avers as follows:

DEGUSSA AG is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent application by virtue of assignment, said Assignment having been recorded in the U.S. Patent and Trademark Office at reel no. 011056, frame(s) 0388.

DEGUSSA AG hereby disclaims the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of any patent issuing from application Serial No. 09/769,397, and hereby agrees that any patent so granted on said above-captioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent issuing from application Serial No. 09/769,397, this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

DEGUSSA AG does not disclaim any terminal part of any patent granted on the above-captioned application that would extend to the full statutory term as defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of any patent issuing from application Serial No. 09/769,397 in the event that any said issued patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

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Date Signed

Respectfully Submitted,

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